

Application Number	Date of Appln	Committee Date	Ward
110351/FO/2015/N1	1st Dec 2015	30th Jun 2016	Ancoats And Clayton Ward

Proposal Demolition of existing buildings and structures on site and the erection of 9 storey building to form 64no. residential apartments (Use Class C3a) with a 325 sq. m (GEA) ground commercial unit (Use Classes A1, A2, A3, B1, or D1) with associated works and pedestrian access.

Location 4 Angel Court, Ancoats, Manchester, M4 4HT

Applicant Mr Stephen Kane , Kane Capital Partners Limited, Ground Floor, Seneca House, Amy Jonhson Way, Blackpool, FY4 2FF,

Agent Peter Rowe, Turley, 1 New York Street, Manchester, M1 4HD,

Description

The application site is approximately 0.07 hectares and is bounded by Ludgate Street to the north east, Simpson Street to the north, Angel Street to the south west and Dyche Street to the south. The site currently consists of a two storey former warehouse building that is currently occupied for storage purposes. The building is of brick construction with high level windows and a pitched roof. The adjoining building, 11 Dyche Street, does not form part of the application site. This building is also two storey and appears to be in use for B1 light industrial purposes.

The topography of the site is relatively flat, however, there is a slight gradient to Angel Street. There is currently a servicing entrance to the warehouse building fronting Simpson Street.

The surrounding area is a mixture of residential and commercial developments. To the south of the application site is the Angel Public House, a two storey drinking establishment with an ancillary beer garden. To the east of the site are a number of light industrial commercial buildings of varying heights. Immediately to the north of the site along Simpson Street is an apartment block called the Lynx's building. This is an 8 storey residential buildings with pedestrian access off Simpson Street. To the west of the application site is the NOMA regeneration and development area. The land directly opposite the application site to the east is currently cleared ready for development and planning permission has been granted for this site for a part 7, part 34 storey building containing 458 apartments and ancillary commercial development.

The City Centre is within a 15 minute walk of the application site providing access to amenities and public transport facilities.

The applicant is seeking planning permission for the erection of a 9 storey building to form 64 apartments with a ground floor commercial unit (325 sqm) which will

comprise with A1, A2, A3, B1 or D1 with associated basement car park following demolition of the existing buildings at the application site.

Consultations

Local residents/public opinion – A total of 3 letters of objection have been received in respect of this matter. The comments can be summarised as follows:

- Within the immediate area, there are no buildings higher than 7 storeys;
- The daylight and sunlight report shows that the impact on the Lynx building has failed BRE. The proposed development does not mirror the height of the Lynx building and therefore the impact will be worse than described in the applicants report;
- No consideration has been given to the impacts of waste management and parking for deliveries;
- The current layout of Simpson and Dyche Street should be altered to make Simpson Street a westbound road and Dyche Street an eastbound road;
- The bin storage access to Ludgate Street is inadequate. Ludgate Street is too narrow;
- No space has been provided on the highway for waste collections to park. This will create obstructions for significant periods of time. A loading area should be created. Its vitally important to make the commercial area work;
- The previous planning history is irrelevant. The scheme should be reduced in height;
- Sufficient bins should be provided for the development to avoid rats.

Friends of Angel Meadows (FOAM) – It is welcomed that this particular plot is targeted to finally help finish an estate began in 1999 so that a 'community' might stabilise and grow. However, developer greed must not outweigh sustainability for the city.

Whilst the area is not officially a Conservation Zone, the important social history of the area and heritage in the 6 Grade II Listed buildings and several other Victorian buildings of historical importance should dictate what architecture is permitted. As such FOAM believe the choice of dull Soviet grey to be a poor aesthetic which undermines character and historical uniformity which is a draw for many residents. The brick work would better integrate with its neighbours were it match in traditional red brick. It is also the best choice to protect from the rain and pollution of the City.

Documentation that right to light limits on windows will not all meet acceptable levels is of concern. Therefore it is believed that the height of the building should correspond to the adjacent apartments at seven storey maximum to help retain the human scale of the wider estate. Whilst tall buildings in the City Centre are vital for the transient professional workers, the IRR represents the perfect boundary to build long term communities to a human scale appealing to a broader demographic.

The proposal contains no 'communal amenities' stating that Angel Meadows can provide for the additional 100 or more residents. Therefore S106 must be demanded to help increase green space in the area (including St Michaels flags and Angel Meadow) and help mitigate the impact of this scheme. This development cannot be

judged in isolation of the other recently passed scheme and future proposed which will introduce several thousand extra residents and office workers to the park. This will make an already underfunded public amenity unsustainable and the work of FOAM compromised.

It is considered that the ground floor layout is poorly configured with access to the commercial unit better served by being on Dyche Street side to protect existing residents from the noise and disruption of delivery vehicles and customers. Similarly, the bin storage areas would be better located on the Angel pub side for similar reasons. Residential access would be better served from Simpson Street due to security issues.

The lack of private car parking for such a sizeable block is unacceptable and will further limit the demographic attracted to these apartments in an area already unbalanced. The failure of NOMA to invest in the promised multi-storey car parking on Miller Street does little to tackle the blight of cheap surface car parks and on street parking which proliferates crime in the area.

Further footfall through the area must be met with greater street cleaning cycles, effective policing and installation of litter bins.

The current density of the 'New Angel Meadow' is now higher than in Victorian times. There is the same lack of social amenities such as medical facilities, schooling and green space and this is not being addressed.

Whilst broadly supportive of the development, a more modest and sustainable design should be demanded to ensure the current neighbourhood of choice for many remains sustainable and past lessons learnt.

Highway Services – The associated trips to and from the building are considered to be low and any traffic impacts are expected to be minimal. As such, the development is considered to be able to be accommodated with the existing highway network without further interventions.

The original proposal for this scheme proposed no car parking or vehicle access. Given the edge of entre location similar developments have provided around 40-50% parking provision. The provision has now altered to 22% within a basement area along with a package of transport measures to support occupants accessing a range of other transport modes. There is on street parking outside of the controlled parking zone times.

Further details are required in respect of the car lift operation. These details should include how the vehicles will access/egress the lift, priority for vehicles accessing/egressing the lift, stacking capacity on street/within the car park for waiting vehicles, swept path analysis of access/egress, visibility displays on access/egress and what will happen should the car lift malfunction.

All car parking spaces should accord with MCC standards.

A cycle parking provision of 74 spaces are proposed within the building which provides approximately 100% provision available to the apartments. This level of provision is acceptable.

There is an interim travel plan which seeks to encourage sustainable access.

The existing vehicle accesses into the site from Simpson Street and Dyche Street will become redundant due to the development proposals. The necessary reinstatement of these areas to footway to adoptable standard will be required and should be progressed as part of a section 278 agreement. The surrounding footways contiguous to the development boundary should also be included in these works as they are likely to suffer damage during the demolition and construction phases.

A waste management plan has been submitted which details servicing and refuse collection is proposed to be conducted from Ludgate Street with bins transferred on collection days and subsequently returned to the bin store by building management. This arrangement is considered to be satisfactory given the low frequency of the waste and recycled materials collections.

Servicing to the ground floor commercial unit is to be carried out from Simpson Street where there is a direct access to the unit. There would also be scope for servicing to be undertaken from Angel Street outside of the peak loading restriction times. These arrangements are considered appropriate and are acceptable.

A construction management plan should be submitted for the proposals to ensure that there are no impacts on highway and pedestrian safety as a result of the proposals.

Environmental Health – There is historical evidence of land contamination at the application site. The desk top study report is adequate; however, further site investigation information should be submitted for consideration along with a risk assessment and remediation strategy. On completion of any remediation proposals, a verification report should be submitted for approval.

Deliveries should be restricted to Monday to Saturday 07:30 to 20:00 and Sundays (and Bank Holidays) no deliveries/waste collections.

The opening hours of the ground commercial use should be restricted.

The residential and commercial accommodation shall also be acoustically insulated along with appropriate ventilation for the commercial units. Details any plant and fume for the commercial unit shall also be agreed.

The further details are required in respect of waste management along with an air quality assessment.

Flood Risk Management Team - The Government has strengthened planning policy on the provision of sustainable drainage systems (SuDS) for major planning applications which is being introduced from 6 April 2015. As per the guidance issued by the Department of Communities and Local Government (DCLG), all major

planning applications being determined from 6 April 2015, must consider sustainable drainage systems. Conditions should be imposed on this planning application which provide details on the surface water drainage. In addition, details of a maintenance and management of the system shall be submitted for approval.

Design for Security at Greater Manchester Police – The proposed development should be designed and constructed in accordance with the recommendation of the Crime Impact Statement and this should form part of the conditions of the planning approval.

Greater Manchester Ecology Unit – No comments received at the time of writing this report. Any comments received will be reported to the committee for consideration.

Publicity - The proposal, by virtue of the size of the site and floor space created, has been classified as a small scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News) as a major development along with being of public interest. A site notice was displayed at the application site. In addition, notification letters have been sent to an extensive area of local residents and businesses.

Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 specifies that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken.

The nature of the proposal falls within “Urban Development Projects”, however, it does not exceed the threshold of being of more than 150 residential units. It was therefore not considered necessary to consider the proposal against these regulations.

Policy

The Development Plan

The Development Plan consists of:

- The Manchester Core Strategy (2012); and
- Saved policies of the Unitary Development Plan for the City of Manchester (1995)

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) and sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in

Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents as directed by the National Planning Policy Framework (NPPF).

The NPPF requires application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

Policy SP1 '*Spatial Principles*' states that one of the key spatial principles is the emphasis on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

All development should have regard to the character, issues and strategy for each regeneration area – in this case East Manchester. In addition, new development will be encouraged that maximises the potential of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport.

The policy goes on to state that development in all parts of the City should:

- Make a positive contribution to neighbourhoods of choice including;
 - Creating well designed places that enhance or create character.
 - Making a positive contribution to the health, safety and well being of residents;
 - Considering the needs of all members of the community;
 - Protect and enhance the built and natural environment.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

The proposed development is considered to be in accordance with policy SP1 in that a high quality residential development will be provided that contributes towards meeting housing growth in the City and creating a high quality neighbourhood for residents to live in. Consideration has been given to minimising the impact on local residents along with protecting the historical context.

Policy EC3 '*The Regional Centre*' states that housing will be an appropriate use within the Regional Centre, although this should complement the development of mixed use employment areas. Subject to site and location details, the Regional Centre will generally be a location where higher density residential development is appropriate.

The proposal is considered to be in accordance with policy EC3 as it will provide a dense residential development thus contributing towards the City housing growth.

Policy T1 '*Sustainable Transport*' seeks to deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking, to support the needs of residents and businesses and to prepare for carbon free modes of transport. The Council will support proposals that:

- Improve choice by developing alternatives to the car;
- Promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services, particularly for those most in need and for those without a car;
- Improve access to transport services and facilities in order to enable disabled people and people with mobility impairments to participate fully in public life;
- Improve pedestrian routes and the pedestrian environment;
- Improve and develop further Manchester's cycle network;
- Contribute to improvements to the extent and reliability of the public transport network through safe and attractive waiting facilities, better priority and information provision,
- Would reduce the negative impacts of road traffic.

The proposal is considered to be in accordance with policy T1 as the development is located in an area where there is access to a range of public transport modes whilst encouraging other forms of transport such as cycle, car sharing and car clubs.

Policy T2 '*Accessible areas of opportunity and needs*' states that the Council will actively manage the pattern of development to ensure that new development:

- Is located to ensure good access to the City's main economic drivers, including the regional centre and to ensure good national and international connections;
- Is easily accessible by walking, cycling and public transport; connecting residential to jobs, centres, health, leisure, open space and educational opportunities. Particular priority will be given to providing all residents access to strategic employment sites including – links with East Manchester to employment locations such as Eastlands.

Applications should include appropriate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

This planning application is accompanied by a transport assessment and travel plan which demonstrates that the proposal will have a minimal impact on the local highway network and will encourage other forms of transport.

Policy C1 '*Centre Hierarchy*' states that development of town centre uses (as defined in national planning policy) will be prioritised in the centres identified in this policy, taking account of the different roles of the City Centre, District Centres and Local Centres

Policy C9 '*Out of centre development*' states that development of town centre uses in locations which are outside a centre identified in policy C1 (or a strategic location) will be inappropriate unless it can meet the following criteria:

- There are no sequentially preferable sites, or allocated sites, within the area the development is intended to serve that are available, suitable and viable;
- The proposal would not have unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and having regard to any allocations for town centre uses, on the vitality and viability of the City Centre and designated district and local centres. An assessment of impacts will be required for retail developments of more than local significance; and,
- The proposal is appropriate in terms of its scale and function to its location.

Paragraph 10.96 states that development of a scale which is of local significance only is unlikely to lead to unacceptable impacts on the City Centre, District or local centres. However, proposals of a scale which is likely to have a significant impact beyond the immediate locality could have implications for the vitality and viability of existing centres within the City and in neighbouring areas, and on the accessibility of communities to shopping facilities. These implications should be considered through the planning process. In Manchester's circumstances, the impacts of out-of-centre development will vary across the City and will need to be considered on a case-by-case basis, although the Council considers that development of less than 650 square metres gross will generally be of local significance only.

Proposals of more than local significance should be accompanied by a statement which describes the nature and role of the proposals, evidence of the area the development is likely to serve, an assessment of the likely turnover of the development, an assessment of trade diversions from designated centres and an appraisal of the effects of the proposal on the vitality and viability of affected centres.

Paragraph 10.57 goes on to state that Policy C9 also establishes a basis to support out-of-centre development provided it is intended to improve the experience of visitors or neighbours, rather than increase the role of the location. This could include enhanced pedestrian linkages within the scheme or the reorganisation of loading facilities to reduce the impact on adjacent residents.

Policy H1 '*Overall Housing Provision*' states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the availability of family housing. High density developments (over 75 units per hectare) are appropriate in both the City Centre and parts of the Regional Centre given the accessible location. 90% of residential development will be on previously developed land. The re-use of vacant housing, including the renewal of areas characterised by poor quality housing, will be prioritised. New developments should take advantage of existing buildings where appropriate through refurbishment or rebuilding works. If this is not possible, development schemes should contribute to renewal of adjacent areas which contain vacant or derelict buildings.

Policy H1 goes on to state that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed site in sustainable locations and which takes account of the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. Schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

The development will form a dense residential scheme within an area that is expected to accommodate housing growth. Consideration has been given to the design, siting and scale of the building along with prioritising the re-use of a previously developed site. In addition, the proposal will also provide accommodation which will be attractive to a diverse range of housing needs through varying accommodation sizes. The proposal will provide accommodation for sale. The accommodation is generous in size with one bedroom apartments measuring 50 sqm, two bedroom apartments ranging between 61-79 sqm.

Policy H2 '*Strategic Housing Location*' states that the key location for new residential development throughout the plan period will be within the area to the east and north of Manchester City Centre identified as a strategic location for new housing. Land assembly will be supported in this area to encourage the creation of large development sites or clusters of sites providing the potential for significant regeneration benefits.

Developers should take advantage of these opportunities by:-

- Diversifying the housing offer with particular emphasis on providing medium density (40-50 dwellings per hectare) family housing including affordable housing. In locations which are close to the City Centre, such as the Lower Irk Valley and Holt Town, higher densities will be appropriate. However, the provision of family homes should remain an emphasis in these areas, too.
- Including environmental improvements across the area.
- Creating sustainable neighbourhoods which include complementary facilities and services.
- Considering the scope to include a residential element as part of employment-led development.

The proposal is considered to comply with policy H2 in that it will provide a dense residential development in an area of the City that is expected to accommodate residential growth.

Policy H3 '*North Manchester*' states that over the lifetime of the Core Strategy, the area will accommodate around 20% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within the Regional Centre and within Cheetham Hill and Harpurhey district centres as part of mixed use scheme as well as along high frequency public transport.

The proposal is considered to comply with policy H3 in that it will provide a dense residential development in the Regional Centre and is expected to accommodate residential growth.

Policy H8 '*Affordable Housing*' states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. The development will not provide provision for affordable housing and will provide private accommodation for sale as part of diversifying the area and offering housing choice.

Policy EN1 '*Design principles and strategic character areas*' states that all development in Manchester will be expected to follow the seven principles of urban design. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes. Proposals for new development must clearly detail how the proposed development addresses the design principle, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategic objectives.

The proposed development is considered to be a high quality scheme in terms of its design and appearance and will enhance the regeneration of the area.

Policy EN3 '*Heritage*' states that throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

There are no heritage assets in close proximity to the application that will be affected by this development.

EN4 '*Reducing CO₂ emissions by enabling low and zero carbon development*' states that the Council will seek to reduce fuel poverty and decouple growth in the

economy, growth in CO₂ emissions and rising fossil fuel prices, through the following actions:

All development must follow the principles of the energy hierarchy being designed to:

- Reduce the need for energy through design features that provide passive heating, natural lighting and cooling;
- To reduce the need for energy through energy efficient features such as improved insulation and glazing;
- To meet residual energy requirements through the use of low or zero carbon energy generating technologies

Policy EN5 '*Strategic areas for low and zero carbon decentralised energy infrastructure*' states that with the regional centre (which includes the application site) will have a major role to play in achieving an increase in the level of decentralised, low and zero carbon energy supplies.

Policy EN6 '*Target framework for CO₂ reductions from low or zero carbon energy supplies*' states that developments over 1000 sqm will be expected to meet targets shown with the policy unless this can be shown not to be viable.

The development is considered to comply with policies EN4 – EN6 in that clear consideration has been given to how the buildings functions to reduce overall energy demands. The building fabric is considered to be high quality and will allow energy costs to remain low.

Policy EN14 '*Flood Risk*' states that all new development should minimise surface water run off. In addition, an appropriate Flood Risk Assessment (FRA) will also be required for all development proposals on sites greater than 0.5ha within critical drainage areas. Consideration has been given to the surface water run off from the site and a scheme will be agreed which minimises the impact from surface water run off.

Policy EN15, '*Biodiversity and Geological Conservation*', states that developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on site or adjacent to the site contributing to linkages between valuable or potentially valuable habitat areas where appropriate.

The application site is not considered to be of high quality in ecology terms and therefore no mitigation is required.

Policy EN16 '*Air Quality*' states that the Council will seek to improve the air quality within Manchester. The proposal is not considered to compromise air quality.

Policy EN17 '*Water Quality*' states that developments should minimise surface water run off and minimise ground contamination into the watercourse. Consideration has been given to minimising the impact of the adjacent canal particularly during construction.

Policy EN18, '*Contaminated Land*', states that any proposal for development of contaminated land must be accompanied by a health risk assessment. The applicant has provided provisional details relating to ground conditions. Further investigative work will be needed to confirm the findings of the provisional details and determine if any mitigation is required.

EN19 '*Waste*' states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled. The applicant has a clear waste management strategy for the site which will ensure that residents adhered to recycling principles.

Policy DM1 '*Development Management*' all development should have regard the following specific issues:-

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise;
- Community safety and crime prevention;
- Design for health;
- Adequacy of internal accommodation and external amenity space;
- Refuse storage and collection;
- Vehicular access and car parking;
- Effect on biodiversity, archaeological or built heritage;
- Green infrastructure;
- Flood risk and drainage.

The applicant has given careful consideration to the design, scale and layout of the development along with providing solutions to prevent noise ingress, crime, refuse and car and cycle parking. The proposal also meet the City Councils space standards.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the Core Strategy.

The Unitary Development Plan for the City of Manchester (1995)

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

DC7 '*New Housing Development*' states that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. All new developments containing family homes will be expected to be designed so as to be safe areas within which children can play and, where appropriate, the Council will also expect play facilities to be provided.

The proposal meets City Council spaces standards and will be accessible for all residents of Manchester.

Policy DC10 '*Food & Drink Uses*' determines that planning applications for development involving the sale of hot food to be consumed off the premises the Council will have regard to, particularly in this instance:

- The general location of the proposed development;
- The effect on the amenity of neighbouring residents;
- The storage and collection of refuse and litter.

The Council will normally accept the principle of development of this kind in the City Centre, industrial and commercial area and, at ground level, in local shopping parades of more than 8 shops or offices.

Where the Council considers food and drink premises to be acceptable in principle, conditions may be imposed in order to protect the amenity of nearby residents. Such conditions include limitations in terms of the hours of opening and the need to deal adequately with the storage of refuse and collection of litter.

The proposed commercial units as part of this development will add to the viability of the development and its vibrancy.

Saved policy DC26, '*Development and Noise*', states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise. Conditions will be used to control the impacts of developments.

The proposal has been designed to minimise the impact from noise sources and further mitigation will be secured by planning condition.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the UDP.

Other material policy considerations

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007)

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people (in accordance with Design for Access 2), pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability. Sections of relevance are:

- Chapter 2 'Design' – outlines the City Council's expectations that all new developments should have a high standard of design making a positive contribution to the City's environment;
- Paragraph 2.7 states that encouragement for "the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas.
- Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.
- Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and specific site circumstances. Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.
- Paragraph 2.17 states that vistas enable people to locate key buildings and to move confidently between different parts of the neighbourhood or from one area to another. The primary face of buildings should lead the eye along important vistas. Views to important buildings, spaces and landmarks, should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises.
- Chapter 8 'Community Safety and Crime Prevention' – The aim of this chapter is to ensure that developments design out crime and adopt the standards of Secured by Design;

- Chapter 11 ‘The City’s Character Areas’ – the aim of this chapter is to ensure that new developments fit comfortably into, and enhance the character of an area of the City, particularly adding to and enhancing the sense of place.

City Centre Strategic Plan 2015-2018 (March 2016)

On the 2 March 2016 the City Council’s Executive Committee approved the City Centre Strategic Plan which seeks to provide an up-to-date vision for the City Centre within the current economic and strategic context along with outlining the key priorities for the next few years for each City Centre neighbourhood. This document seeks to align itself with the Manchester Strategy (January 2016) along with the Greater Manchester Strategy. Overall the City Centre plan seeks to “*shape the activity that will ensure that the City Centre continues to consolidate its role as a major economic and cultural asset for Greater Manchester and the north of England*”.

It should also be noted that the strategic plan approved by the Executive also endorsed an extended boundary of the City Centre upon which the strategic plan is based. This extended boundary includes the application site and the wider New Cross area.

Indeed the strategic plan states that the growth of the City Centre “*has contributed additional residential accommodation, commercial property and leisure destinations, and these locations (together with others including the Irk Valley and New Cross) have clear potential to contribute to the City Centre offer: their relationship with, and proximity to, existing concentrations of activity demands their inclusion with the City Centre boundary. The expansion of the City Centre boundary to incorporate edge of centre neighbourhoods and developments will increase a population that has already trebled over the last decade and subsequently further enhance the City Centre economy*”

It is therefore clear that from this document that the expansion of the City Centre boundary to include areas such as NOMA is vital in terms of delivering upon the City’s growth objectives for residential, commercial and population growth.

City Centre plan particularly recognises the role that the NOMA can play in terms of delivering residential growth and providing a higher quality residential offer in line with the regeneration framework. Indeed, the strategy recognises that by incorporating new areas such as NOMA, New Cross and the Irk Valley within the City Centre boundary it will allow for better linkages with the communities of North Manchester to the City Centre along with providing a catalyst that can drive further residential development in these areas.

East Manchester Strategic Regeneration Framework (2008-2018)

The Eastlands Strategic Regeneration Framework (SRF) was revised in November 2007. It identified the progress made in East Manchester since 2001 but also sets out the strategic direction for the next 10 years in order to continue the holistic regeneration of the area.

A key objective of the framework is to increase local employment opportunities by attracting investment. East Manchester is seen as a major investment location with a key role in the development of a complete City region, in order to become one of the premier destinations for new investment and leisure visitors in the North West. Investment in the public realm and creation of high quality buildings will also assist in improving the image of the area.

National Planning Policy Framework

The central theme to the NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role (paragraphs 6 & 7).

Paragraph 8 of the NPPF goes on to state that these roles should not be undertaken in isolation:

“...to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system”

Paragraph 9 of the NPPF states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life. This includes making it easier for jobs to be created in cities.

Section 4 outlines the Government's objectives in respect of promoting sustainable transport, in particular developments should be supported that exploit opportunities for the use of sustainable transport modes for the movement of goods or people.

Section 7 'Requiring Good Design' outlines the Government's expectations in respect of new developments:

“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people” (paragraph 56)

Paragraph 58 states that local plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. In particular, planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Respond to local character and history, and reflect the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation;
- Are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 59 goes on to state that:

“Local planning authorities should...concentrate in guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally”

Paragraph 63 of the NPPF also states that great weight should be given to outstanding or innovative design which helps raise the standard of design more generally in the area.

Paragraph 65 goes onto to state that buildings which are incompatible with an existing townscape but are of high level of sustainability in general can be supported if mitigated by good design.

Section 12 outlines the Governments objectives in terms of conserving and enhancing the historic environment. Paragraph 128 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Promoting healthy communities is an integral part of delivering the Government sustainable vision; this includes creating safe and accessible environments where crime and disorder do not undermined quality of life. In addition, there should be high quality public spaces.

Meeting the challenge of climate change is also an important part of the NPPF. This includes supporting energy efficient developments as part of a low carbon future. In addition, areas at risk of flooding should be avoided. Conserving and enhancing the natural environment is also a key consideration and efforts should be made to increase biodiversity at development sites.

Paragraphs 11, 12, 13 and 14 of the NPPF outline a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

National Planning Policy Guidance (NPPG)

The relevant sections of the NPPG are as follows:

Open space, sports and recreation facilities, public rights of way and local green space states that open space should be taken into account in planning for new development and considering proposals that may affect existing open space. It is advised that Sport England are consulted where the loss of major sporting facilities is proposed.

Noise states that 'Local planning authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other
- form – the shape of buildings
- scale – the size of buildings
- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

Health and well being states opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);

Travel Plans, Transport Assessments in decision taking states that applications can positively contribute to:

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;

- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

Other legislative requirements

Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provides that "in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting. Members should consider whether there is justification for overriding the presumption in favour of preservation.

Section 72 of the Listed Building Act provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Issues

Planning History

068804/FO/2003/N1: OUTLINE APPLICATION for means of access to six storey block of 25 no. residential units. Provision of 25 no. car parking spaces at ground level **Approved 21 May 2004**

078011/FO/2005/N1: Erection of seven storey building comprising 46 one, two and three bedroom apartments with associated car parking and roof garden **Approved 18 July 2006**

Principle of the redevelopment of the site and contribution to regeneration

The application site currently consists of a two storey warehouse building that is currently being used by the land owner. There is currently nobody employed within the buildings as the storage is mainly in connection with the owners personal items. The building has, however, had a historical use for storage and distribution of alcoholic drinks (Use Class B8). This used ceased well over 5 years ago following which the owner commenced the storage use only.

Policy EC2 of the Core Strategy states that the Council will seek to retain and enhance existing employment space and sites. The policy goes on to state that

alternative uses will only be supported on sites allocated accordingly, or if it can be demonstrated that:

- the existing use is no longer viable in terms of business operations, building age and format;
- the existing use is incompatible with adjacent uses;
- there are matters relating to flood risk; or
- on balance, the proposals are able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing use.

As detailed above, the current building at the site is not within an active B8 employment use. There has historically been an employment generating use at the site, however, this has not been active for over 5 years. The building construction appears to be generally sound, however, its age and format means that the building is unlikely to be popular with modern B8 operators. In particular, the servicing arrangements at the site may prove problematic if an active B8 operation commenced at the site due to the close proximity of the surrounding residential along the constrained road network.

It is also noted, that historically the area would have been dominated by buildings of this nature, the grain of development has changed to a more predominately residential area. The application site is located immediately adjacent to two major regeneration areas 'New Cross' and 'NOMA' where residential led development is being promoted. This, along with the close proximity to the City Centre, makes consideration of alternative uses of the application site to better serve the needs of the area would seem appropriate.

It is therefore considered that there is no quantitative or qualitative reason to retain the application site building in terms of employment land supply. The building is modest in scale and along with its age and format it is unlikely the building would be able to attract a viable end user. In this regard, the requirements of policy EC2 have been satisfied in that the site would offer greater benefits to the Core Strategy being used for alternative purposes such as residential.

Indeed, policy SP1 states that the majority of new residential development will be in areas such as north Manchester along with making a positive contribution to neighbourhoods of choice. It should also be noted that the application sites falls within the 'Regional Centre' which also supports the requirements for dense residential led development in these areas. This proposal seeks to create 64 residential apartments. This will satisfy the requirements of policy SP1 in that it is a residential development in an area deemed to be appropriate for such uses along with meeting the targets outlined in policy H1 which seeks to ensure that approximately 60,000 new homes are created in the City between 2009 and 2027.

It should also be noted that the application site falls within the extended City Centre boundary as defined within the City Centre Strategic plan. This seeks to incorporated 'edge of centre' areas into the City Centre boundary in order to ensure that the City Centre continues to thrive and grow. The plan in particular, notes the importance of areas such as NOMA, and others, with the role to support meeting the demands for new homes as the City Centre population grows. Furthermore, incorporating these

areas means that the existing communities in these areas become better connected to the City Centre.

The application site is just outside of the NOMA development framework boundary. However, as the site falls within the extended City Centre boundary, and Regional Centre, the proposal will help provide a good quality residential led development. In particular, the scheme will make provision for 24, one bedroom apartments and 40, two bedroom apartments. This accommodation is likely to be attractive to young professionals and families wanting accommodation in close proximity to the City Centre.

It is also noted that the application site would reuse a previously developed plot and therefore provides an opportunity to redevelop the site as part of the continued regeneration of the area along with supporting City Centre growth.

It is therefore considered that a proposal of this nature is acceptable in principle as it accords with the residential growth principles identified within policies SP1, H1, H3 and EC3 of the Core Strategy along with the principles and aspirations outlined in the City Centre Strategy Plan.

Material planning considerations

Whilst the principle of the development is consistent with planning policy framework, there are detailed matters that require particular attention. This report will therefore consider the following material considerations and determine whether any undue harm will arise as a consequence of the development:

- Affordable housing;
- Visual amenity;
- Impact on the historic environment ;
- Ecology;
- Tree removal;
- Effect of the development on the local environment and existing residents
- Effect of the development on the proposed residents
- Landscaping and amenity space /boundary treatment/public realm
- Impact on the highway network/car parking
- Flood Risk/surface drainage
- Flood risk/surface water;
- Sustainability;
- Designing out crime;
- Ground conditions; and
- Construction management.

The above matters will be considered in turn below.

Affordable Housing

Policy H8 of the Core Strategy requires that consideration be given to the provision of affordable housing within all new residential developments on sites of 0.3 hectares

and above or where 15 or more units are proposed for development to contribute to the City-wide target for 20% of new housing provision to be affordable.

The supporting SPD to this policy states that there are exemptions to the policy where either a financial viability assessment is conducted that demonstrates that it is not viable to deliver affordable housing or a proportion, or where material considerations indicate that intermediate or social rented housing would be inappropriate.

The criteria that might qualify development for exemptions that are of relevance in this instance include:

- that inclusion of affordable housing would prejudice the achievement of other important planning or regeneration objectives which are included within existing Strategic Regeneration Framework, planning frameworks or other Council approved programmes.
- It would financially undermine significant development proposals critical to economic growth within the City;
- The financial impact of the provision of affordable housing, combined with other planning obligations would affect scheme viability.

The proposal will consist of properties that will be open market for sale. The applicant has not included any affordable housing provision. The proposal will redevelop an under utilised site and in order to achieve a high quality development, in terms of design, materials, space standards and car parking this raises issues of viability of the overall scheme. In this regard, the applicant has provided a viability appraisal for the development. This has been assessed by the City Council and it demonstrates that the proposed scheme is viable, in its current form, and is capable of being delivered. It would not be viable if a proportion of the units were to be afforded as affordable through a legal agreement.

It is therefore considered that in this instance, the approach to not provide any affordable housing is acceptable. The development will deliver high quality homes for sale in a regeneration area as part of providing new homes to meet a growing population.

Furthermore, this proposal will bring substantial regeneration benefits to the area by developing an under used site which no longer contribute to the vitality and viability of the area.

On this basis, the proposal is in accordance with the Council's approved guidance in relation to affordable housing.

Residential development - density/type/accommodation standards

The proposal will provide 64 residential units within the development. This represents a development of 914 units per hectare. Policy H1 states that developments of over 75 units per hectare will be appropriate on sites in the City Centre and in the Regional Centre. Whilst this development is considered to

represent a dense form of development, it is considered appropriate given the character of the area given its location on the City Centre fringe.

In terms of the type and standard of accommodation, policies SP1, H1, H2 and H3 of the Core Strategy seek to ensure that the right type and standard of accommodation is created in the City. Recently, the City Council's Executive adopted interim space standards for new accommodation to ensure that a minimum standard of accommodation is created across the City.

The break down of accommodation and sizes within the development is as follows:

- one bed apartments – 24 (37%) 50 sqm;
- two bed apartments – 40 (63%) range from 61-79 sqm;

The mixture of apartment sizes is considered to be acceptable, particularly as the predominant apartment type is two bedroom accommodation. The apartments also broadly comply with the interim space standards which is welcomed.

It is considered that the development complies with policies SP1, H1, H2, H3 and DM1 of the Manchester Core Strategy. Consideration will be given below to how this level of density fits within its context to ensure compliance with the Guide to Development in Manchester SPD and the neighbourhood framework.

Commercial development

The proposal will provide a ground floor commercial unit along the corner of Angel Street and Simpson Street. The floor space created by this commercial unit is 325 sqm and the applicant has applied for uses falling within A1, A2, A3, B1 and D1.

Policy SP1 of the Core Strategy states that the regional centre, which the application site is located within, will be the focus for economic and commercial development, retail, leisure and cultural activity, alongside high quality city living. Policy EC3, which relates to the regional centre, goes on to state that that proposals for other town centre uses, will be assessed in accordance with policies C1 and C9 of the Core Strategy.

The application site is not identified within the list of defined centres outlined within policy C1 with the nearest centre being the City Centre approximately 155 metres westwards. Policy C9 states that development of town centre uses in locations which are outside of a centre identified in policy C1 (or a strategic location identified for such uses) will be inappropriate unless it can meet the criteria in the policy. This includes demonstrating that there are no sequentially preferable sites or any unacceptable impacts on a defined centre. The supporting text to this policy states that developments of below 650 sqm will generally be of local significance only.

This proposal seeks to create 325 sqm of commercial floor space. As such, it is considered that the impacts of the floor space will only impact on the local area and not any nearby defined centre. It should also be noted that the application site is now located within the extended City Centre boundary as defined by the City Centre Strategic Plan. Whilst it is noted that this document does not form part of the adopted

development plan, weight should be given to its contents as it is the most up to date expression of the City Council aspirations and thinking in respect of City Centre growth. It is therefore considered that it is not necessary to undertake any form of sequential test.

Furthermore, it is considered that there are benefits from having an active ground floor use in terms of bringing pedestrian footfall and natural surveillance to the area. In addition, this will provide an interface with the new developments in the NOMA area directly opposite the application site along Angel Street.

In terms of the provision of restaurant/café uses (use class A3), regard must be had for saved policy DC10 of the UDP. Saved policy DC10 of the UDP seeks to encourage food and drink uses in centres or in parades of 8 or more shops along with an assessment on the impact on residential amenity.

Whilst the development is not within an established parade or centre, it is considered that having an offer of this nature is very important to support this mixed use development and adds to the vitality and viability of the development. In addition, and as detailed above, it will complement the other commercial uses at NOMA and will provide much needed facilities which are required to meet the population growth that will be envisaged as part of the residential growth.

The applicant has also applied for uses within B1 and D1. Whilst there is no objection in principle to these uses, it is recommended that the type of D1 accommodation is restricted to not include places of worship which have particular characteristics and impacts which need to be assessed. In terms of other uses that fall within use class D1, it is recommended that prior to the occupation of the units for a D1 use, further details would need to be given in respect of the operations of that use, particularly to identify and manage any specific operational and servicing so that they do not have a detrimental impact on residential amenity or the operations of the rest of the development. This should form a condition of the planning approval.

Visual amenity

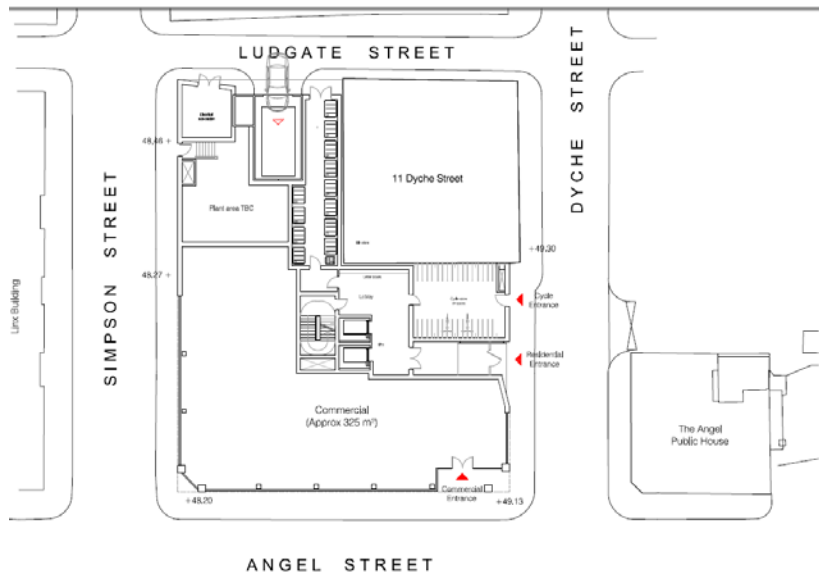
Policies EN1 and DM1 of the Core Strategy, along with the Guide to Development in Manchester, requires that consideration be given to layout of new developments ensuring that they respond to the surrounding context and maximise frontages with the street scene and other important features of sites.

The proposed development will see the redevelopment of a previously used site. The current buildings could be considered to have a neutral impact on the visual amenity of the area, however, the redevelopment of the site provides the opportunity to create a positive addition to the street scene and local area along with complementing other recent developments.

The application site is relatively uniform in shape with the exception of the south eastern corner which consists of 11 Dyche Street which does not form part of this planning application. The result of this creates an 'L' shape around this building. The proposed building seeks to respond positively with the surrounding road frontages by providing built form around the perimeter of the application site thus

strengthening the urban grain. The main pedestrian entrance for the residential element of this scheme will be from Dyche Street. This will maximise the visibility of the entrance particularly when moving northwards along Angel Street. The frontage with Angel Street and Simpson Street will be occupied by a proposed commercial unit which will provide an active frontage to these roads. The main entrance to the commercial unit will be front Angel Street.

Vehicle access along with the refuse storage area for the residential element will be provided from Ludgate Street. An internal cycle store will be created adjacent to the pedestrian entrance off Dyche Street.



Site layout

In terms of the scale of the development, the surrounding context provides little reference. The immediately adjacent buildings along Simpson Street are 7 storeys. The proposed development is for the erection of a 9 storey building measuring 28.7 metres in height. A uniform building height has been created at 9 storeys which will provide a strong building in the street scene.



View along Angel Street

It is recognised that a building of this scale will mark a change in the street scene from the nearby building on Simpson Street which will be two storeys higher. However, it should be noted that the surrounding area does vary in scale with the building on the nearby NOMA development being much taller. Indeed, the development which has recently been granted planning permission on the opposite (western) side of Angel Street is part 7, part 34 storeys. It is therefore considered that this development will contribute to the varying grain of developments on existing scale without appearing to be out of character with the surrounding context.

In terms of design and architectural quality, policy EN1 of the Core Strategy states that opportunities for good design, that enhance the overall image of the City, should be fully realised. This is reiterated within the Guide to Development in Manchester SPD along with the NPPF.

A robust palette of materials has been chosen with the predominant material being brick. However, the proposal seeks to mark a change from the use of red brick which is predominant in the area in favour of a grey flat matt brick. The applicant has explored the use of red brick for this proposal, however, it was considered that a contrast to the surrounding red brick of the warehouses and residential was preferable in order to provide a visual contrast to the existing buildings

It is considered that the use of a grey brick is acceptable in this instance. This proposal will add to the variety of development across this neighbourhood and it is considered that the quality of the architecture is sufficient to ensure that the development will have a positive impact on the visual amenity of the area.

The brick will provide a solid frame for the development together with full height windows within deep reveals. There is a clear horizontal emphasis to the building in the manner in which the brick work is arranged, however, vertical emphasis is provided with the window arrangement, particular around the corners of the building. Recessed balconies have been provided to some of the apartments. This maintains a clean and crisp elevation to the building. Whilst it is regrettable that not all the apartments benefit from a balcony area, it is considered that other residents will be able to access the nearby improvements to the public realm at NOMA and other areas of green space in and around Angel Meadows.

During the course of the planning application the applicant was requested to make further alterations to the Dyche Street elevation in order to ensure that there was sufficient interest in this elevation as this elevation of the building would be viewed when travelling down Angel Street. Further emphasis has now been provided with recessed brick panels.



View of the building on the corner of Angel Street and Dyche Street

The elevations to 11 Dyche Street has been designed so as to not preclude the future redevelopment of this site. This is considered to be acceptable.

The ground floor commercial unit will be full glazed which allows an active street frontage to Angel Street and Simpson Street.

It is considered that the architecture and elevational treatment creates a high quality development. The simple and regular arrangements of the elevations combined with the quality and use of materials will provide a building which will enhance and respond to the setting and distinctiveness of the area whilst also contributing towards creating a new sense of place for the regeneration area.

Overall the siting and layout of the development maximises the relationship with the surrounding road network by responding to the road network with a perimeter block arrangement. The scale of the development responds appropriately to the scale of developments within the area along with a high quality design that will activate frontages along with providing new public realm. It is therefore considered to be in accordance with policies SP1, EN1 and DM1 of the Core Strategy along with the aspirations in the SPD and the New Cross development framework.

Impact on the historic environment

Policy EN3 of the Core Strategy, along with section 12 of the NPPF, states that consideration must be given to the impact of new developments on heritage assets. The application site is not located within a Conservation Area. The nearest Conservation Area is Smithfield and this is some distance from the application site.

The nearest Listed Building is the Marble Inn a Grade II listed building. It is not considered that the proposal will have a detrimental impact on this building given its

distance from the application meaning that they will not be viewed in the same context.

Ecology

The planning application has been accompanied by an ecological appraisal which assesses the potential impact of the development on local ecology and nature conservation. This is a key requirement of policies EN15 and DM1 which seeks to ensure that applicants identify, enhance and restore impacts from developments on local habitats.

The report concludes that there is one European statutory designated site within 5 km of the proposed site. The Rochdale Canal (SAC) is located 5 km to the north east of the site.

There are two non-statutory designated Sites of Biological Interest (SBI) within 1 km of the proposed site. Rochdale Canal, Scott's Lane – Ducie Street Basin SBI and Ashton Canal (west) are located 790 m and 953 m respectively to the south east of the proposed site.

There are no habitats of principle importance within the proposed development boundary, however, there is watercourse habitat within 1 km of the site including the habitats associated with the SBI's and deciduous woodland to the north of the site along the River Irk and adjacent to Collyhurst Road.

There is no vegetation of any significance at the application site given it is dominated by the existing building.

In terms of bats, it was considered that the existing building had a negligible potential to be used by roosting bats and no evidence of bat activity was found. No bird activity was found at the site also.

Overall it is concluded that the existing proposed development site is considered to be of negligible ecological value along with having negligible potential to be used by roosting bats and nesting birds.

Effect of the development on the local environment and existing residents

a) Sunlight, daylight, overshadowing and overlooking

Policy DM1 of the Core Strategy requires consideration to be given to the impacts on new developments on surrounding residential amenity, in particular whether new developments will have any overbearing, overshadowing or overlooking implications.

In this regard, it is noted that the application site is located within a dense urban area and, as a result, this creates certain site constraints which are likely to give rise to some impacts on neighbouring buildings in terms of a reduction in natural light (especially at the lower levels of buildings) and overlooking. Such circumstances are likely to arise where there are cleared or vacant sites with lower level buildings.

The applicant has given consideration to this matter and provided a daylight and sunlight assessment in support of their planning application. This has assessed the development in line with BRE Guidelines.

The relevant guidance for assessing such matters acknowledges that a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

As a guide, daylight may be adversely affected in an existing building if the Vertical Sky Component (VSC) is less than 27% of its former value as a result of a new development. The effect is considered to be more significant in an existing building if the VSC is reduced to lower than 80% of its former value as a result of the new development.

The report assessed the impact of the proposed development on three buildings:

- Lynx Building – Residential development located to the north west of the application site;
- Angel Gardens – Residential Development (consented scheme) located to the south west of the application site; and
- North Angel – Residential development located to the east of the application site.

It should be noted that 2 Angel Square on the NOMA development site was not included in the survey as it is non residential. In addition, the upper floors to the Angel public house were also not included as they appear to be used as storage. Finally, the surrounding low level industrial buildings were also omitted from the assessment.

In terms of the impact on daylight of the proposed development on the Lynx building, 66 windows were tested with 53 of them falling below the targets. However, the BRE guidelines allow for further assessment where buildings are unusually close and of similar height as they are in this case. In this assessment, the windows on both the existing building and proposed building produced a similar outcome on each other.

With regards to Angel Gardens, of the 100 windows tested 99 fell short of the guidelines. However, the design of this development with recessed windows etc make ensuring the windows comply more difficult. It should be noted that due to the provision of the road separating the two sites this site will benefit from this degree of separation.

For Angel North, 40 windows were tested with 26 falling short of the guidelines. Some of these windows are bedrooms or kitchen areas and therefore are not afforded the same amount of daylight as other habitable rooms. Other windows are secondary living room windows.

In terms of sunlight, there are a number of windows at both the Lynx and Angel North building which will have their sunlight affected.

With regards to overlooking and outlook, the outlook from the surrounding developments mentioned above will change as a result of the development. However, it is not considered that there will be any incidences of unduly harmful overlooking as a result of the development as there will remain at least a distance of 11 metres to the Lynx Building, 12 metres to Angel North and 15 Metres to Angel Gardens.

In addition, the existing road network separates the proposed development from surrounding buildings. Whilst there will be incidences of habitable windows facing each other the distances involved should ensure no loss of privacy. Furthermore, in a the dense urban grain ensure that this arrangement between the built form in the area is not unusual.

It should also be noted that given the characteristics of the area, which is a dense urban grain, it is therefore not unusual to find buildings of scale located in close proximity to each other. The effects on nearby development are broadly in line with the relevant assessment guidelines in respect of daylight and sunlight and where there will be an impact these are modest in nature and not untypical of the character of the area or the effects as a result of low level sites being developed with larger buildings.

Notwithstanding this, the design of the building seeks to take account of this close relationship to surrounding developments by the scale and massing being informed by the surrounding context in order to be as sensitive to these receptors as possible in order to ensure that there are no harmful overshadowing or overbearing impacts.

Overall, the proposal will have a positive benefit to the area in that it will remove a vacant/underused site and will respond to characteristics of the area by providing a building of similar scale and footprint to other buildings in the area.

b) TV reception

In order to assess the impacts of the development on surrounding TV reception, as a result of the proposed height of the building, it is recommended that a condition of an planning approval is that a survey is undertaken to assess current conditions. A post completion survey should then be undertaken to determine if the circumstances change once the development is present at the site and appropriate mitigation prepared should this be deemed necessary.

Effect of the development on the proposed residents

a) Commercial operations

In line with the comments of Environmental Health, and in order to protect residential amenity, it is recommended that the operating hours of the commercial development are restricted to Monday to Saturday 08:00 to 22:30 and Sunday 09:00 to 22:30.

b) acoustic insulation – residential and commercial accommodation

A noise assessment has been provided in support of this application which principally considers the noise insulation requirements for the residential and commercial accommodation proposed along with any associated plant equipment. The consideration of such matters is a key requirement for policy DM1 of the Core Strategy along with saved policy DC26 of the UDP. This approach is also outlined within the NPPF which seeks to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new developments.

The main sources of noise from the development are as follows:

- noise emissions from plant and construction activities associated with the development;
- plant;
- acoustic specification of the building to limit noise ingress from external noise; and
- Acoustic specification for the commercial elements (including noise from the operations of the car park) of the scheme to limit noise affecting the residential elements.

In terms of noise and disturbance from the construction process, it is likely that the construction process will take place on weekdays with some operations at weekends. This will comply with standard operating hours in agreement with Environmental Health.

Provided that operating and delivery hours are adhered to along with the erection of the hoarding line around the perimeter of the site (which will have acoustic properties), silencers from equipment along with regular communication with nearby residents, this will minimise any noise impacts on nearby properties which will also be temporary for the duration of the build. It is recommended that such details are secured by a planning condition.

The proposed development may require some additional plant. It is unclear at this stage what will be required and its specification. Such details are therefore required prior to the first use of the development and it is recommended that this is included as a condition of the planning approval.

The acoustic report also considers external noise sources on the proposed residential accommodation. The main sources of noise will be from road traffic along with noise transfer from building services, plant, commercial unit and the adjacent public house.

The report concludes that it is necessary that the residential apartments are acoustically insulated to mitigate against any undue harm as a consequence of these noise sources.

The applicant's acoustic report, along with the recommendations of Environmental Health, states that the preferred solution is for the apartments to include mechanical heat recovery ventilation. This will allow fresh air for occupants so that windows can be closed to meet the internal noise level criteria. It should be noted, however, that openable windows to facilitate cooling will mean that noise levels in the apartments

will be higher. Further details are required to ensure that all relevant noise criteria can be met with this system, including any relevant glazing specification. It is recommended that this forms part of the conditions of any planning approval.

The specification of the commercial accommodation also requires consideration in order to prevent any outbreak from this accommodation to the residential above. Environmental Health wish to see a further acoustic report once the end user is known in order to ensure there is no harmful outbreak of noise particularly to the upper floor residential. It is recommended that such details form part of the conditions of the planning approval.

The operating hours of the commercial unit should be restricted to Monday to Saturday 08:00 to 22:30 and Sunday 09:00 to 22:30 in order to ensure that there are no unacceptable impacts on the nearby residential accommodation. It is also recommended that servicing is restricted in line with the City Councils standard operating hours (Monday to Saturday 07:30 to 20:00 Sundays (and Bank Holidays): No deliveries/waste collections).

On that basis, provided that construction activities are carefully controlled and the plant equipment and residential and commercial accommodation are appropriately insulated the proposed development is considered to be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

c) Fume extraction

There are no details in respect of any fume extraction until the end users of the commercial accommodation are known. In this regard, it is recommended that a condition of the planning approval is that the fume extraction details are agreed.

d) Waste management

A major mixed use development of this nature will generate a significant amount of waste which will need to be managed on a daily basis. Policies EN19 and DM1 of the Core Strategy require that applicants show consistency with the waste hierarchy which principally seeks applicant to re-use and recycle their waste.

The waste strategy for the building has been carefully considered. It has been calculated that the following refuse capacity is required for the residential element:

- Dry recycling – 10 x 1100 litres;
- Paper and card – 10 x 1100 litres;
- Organic – 5 x 240 litres;
- General waste – 20 x 1100 litres.

There will be a centralised refuse store within the building with access doors onto Ludgate Street. The facilities management team will move the waste bins onto Simpson Street on waste collection day.

Each apartment will have their own internal refuse storage areas with the responsibility of the occupants to take the waste to the ground floor waste storage area.

The commercial unit will store their waste within the unit and have a separated commercial waste collection arrangement. Simpson Street is likely to offer a waste collection area also.

Notwithstanding the above information, Environmental Health has requested further information in this regard, particularly the arrangements for waste collection, including frequency. It is recommended that this forms part of the conditions of the planning approval.

Overall it is considered that the waste management arrangements are a well considered part of the development. The arrangements ensure maximum ease and efficiency for residents and ensure that waste is contained within a specified area. There is also a clear commitment and drive to ensure that residents and commercial operators recycle and the measures that will be put in place to do this are acceptable. The proposal therefore accords with policies DM1 and EN19 of the Core Strategy in this regard

Impact on the highway network/car parking

Policy T1 and T2 of the Core Strategy seeks to encourage modal shifts away from the car and locate new development that is accessible by walking, cycling and public transport. Policy DM1 goes on to state that traffic generation and road safety must be considered as part of new developments.

A transport statement has been prepared in respect of this planning application which acknowledges the sustainable location of the application site particularly that the site is accessible to a range of transport modes along with close proximity to the City Centre and a range of amenities and services.

Highway Services are satisfied that there will be no unacceptable impacts on the capacity of the local highway network as a result of the proposal.

In terms of car parking, the applicant had originally proposed a 'no car parking' scheme for this development. Following negotiations with officers, the proposal now includes 14 car parking spaces within a basement area. This equates to 22% provision. In addition, the applicant has agreed to enter into a section 106 agreement with the City Council to fund travel tickets for public transport for the first occupants of each apartment. This will seek to encourage the use of public transport and reduce the reliance on car parking. It is considered this arrangement strikes the right balance between on site car parking provision and promoting alternative modes of travel to take advantage of the close proximity of the application site to the City Centre and other areas.

The vehicular access to the car parking will be via Ludgate Street where vehicles will enter into a car lift which will take them to the basement area. Highway Services have requested further details regarding this access arrangement in order to ensure

that it does not have any implications for highway and pedestrian safety. The applicant has submitted information in this regard and this is currently being considered by Highway Services. In the meantime, it is recommended that a condition of the planning approval is these matters be agreed by planning condition.

The principle pedestrian entrance to the apartments will be via Dyche Street. This will provide access to the upper floors of the building. In order to ensure the overall pedestrian movement around the site is safe, and in order to create the vehicular entrance off Ludgate Street, alterations will need to take place to the footways around the perimeter of the application site. This also includes reinstatement of redundant entrances. It is recommended that a condition of the planning approval is that such works are agreed and implemented prior to the occupation of the development.

In terms of cycle parking, the applicant had originally proposed 17 cycle spaces (22%). Following discussions with officers and in lieu of the level of car parking on site along with the close proximity to the City Centre, this level of cycle parking has been increased to 64 spaces i.e. 100% provision. The cycle provision will be located in a secure room with the buildings and will be accessed from within the building and from Dyche Street.

Both the car parking and cycle store should be in place prior to the first occupation of the development and this should form part of the conditions of the approval.

In terms of servicing, the principal arrangements for the servicing (i.e. waste collections and servicing of the commercial unit) will take place from Ludgate Street for the residential element and Simpson Street for the commercial. Given the low frequency of these types of operations, Highway Services have raised no objection in this regard.

A draft travel plan framework has been provided in support of this application. Highway Services have recommended that this document is approved as part of the application to allow detailed monitoring to take place in order to develop the initiatives further. It is recommended that this forms part of a condition of the planning approval.

The transport assessment has also considered the servicing of the development for both the residential and commercial elements. Refuse collection will take place from Simpson Street for both the commercial and residential elements.

In terms of construction, a management plan is required to be submitted as part of the conditions of the planning approval in order to demonstrate that the construction will not have any unacceptable impacts on the local highway network. This should include the size and frequency of vehicles accessing the site is acceptable and demonstrate there will be no highway and pedestrian safety implications. This should include details of swept path analysis.

Overall, it is considered that the development will have a minimal impact on the local highway network transport and there will be adequate car and cycle provision to serve the needs of the development. Travel planning will help take advantage of the

sustainable location of the application site in order to further reduce the reliance on the car to the site. Servicing and construction requirements can also adequately met at the site. The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy.

Inclusive development

The proposed development has been designed to be inclusive and accessible to all those with a range of needs. There is level access into the commercial unit and pedestrian entrance. There is also lift access to the upper floors. The designing of the apartments to the space standards ensures that the accommodation is of a suitable size for a range of individual needs.

Flood Risk/surface drainage

The application site is located in flood zone 1 '*low probability of flooding*'. However, the site lies within a critical drainage area (an area where there are complex surface water flooding problems from ordinary watercourses, culverts and flooding from the sewer network). These areas are particularly sensitive to an increase in rate of surface water run off and/or volume from new developments which may exasperate local flooding problems. As such, policy EN14 states that developments should seek to minimise the impact on surface water run off in a critical drainage area.

The applicant has prepared a drainage statement in support of their planning application. This has been considered by the City Council's flood risk management team who consider that further consideration should be given to how the drainage systems at the site will work in order to prevent surface water run off along with examination of the implementation of sustainable urban drainage principles at the site along with their future management.

It is recommended that conditions of the planning approval are that such details are considered prior to the commencement of the development and that the system that is put in place is managed and maintained thereafter.

Sustainability and energy efficiency

Policy DM1 states that residential developments will be expected to satisfy the Code for Sustainable Homes standards. Policies SP1 and EN4 to EN6 of the Core Strategy focus on reducing emissions and achieving low and zero carbon developments. As the application site is located in the regional centre, the development is expected to demonstrate its contribution to this objective (policy EN5).

Policy EN4 in particular, requires the application of the energy hierarchy to ensure that passive measures, energy efficiency and low and zero carbon generation options are considered. This includes:

- minimising energy demands – consider passive design measures and optimise building envelope in terms of orientation, air tightness and insulation; and

- meet demands efficiency – specify energy efficient plant, heating, ventilation, lighting and system controls to facilitate efficient operation.

The applicant has provided an energy and environmental standards statement in respect of their planning application. This states that the design of the building incorporates feature which will ensure that the building is air tight to avoid heat loss and heating demands along with highly efficient heating, electrical and water systems.

Policy EN6 of the Core Strategy requires developments of this nature to achieve at least a 19% improvement over the target emissions required by Part L of the Building Regulations. This equates to a 10% reduction over part L of the Building Regulations (2013).

It is noted that policy DM1 of the Core Strategy requires that Code Level of the Code for Sustainable Homes rating criteria is achieved. However, on the 26 March 2015 the Code assessment criteria was revoked by Royal Assent. Whilst the assessment criteria has been revoked, it is still important to understand how a development performs, particularly in respect of waster efficiency and energy standards.

The applicant has provided details of the energy efficiency, particularly how the development incorporates water management and water resilience measures, waste and construction management and biodiversity. In terms of energy efficiency, the proposed development will maximise energy efficiency and will incorporate low zero carbon generating technologies which will seek to minimise energy use and associated CO2 emissions. This development will aims to achieve 9.96% improvement of Building Regulations.

In terms of the measures identified, and their contribution to the objectives of policy EN6, the overall energy performance of the development is satisfactory. There is an overall reduction in emissions as prescribed by policy EN6 of the Core Strategy. The development performs well, and on balance, broadly complies with the spirit of the Core Strategy policies given the high quality building fabric and systems that that are being incorporated into the buildings. It is recommended that the energy standards form part of the conditions of the planning approval.

Designing out crime

Policy DM1 of the Core Strategy requires that consideration be given to community safety and crime prevention. The planning application is supported by a Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police, which assess the proposal in terms of crime prevention and safety.

The CIS recognises that the development will bring vitality to a currently derelict site and will present a more active frontage to most of the public elevations around the site which in turn provides improved natural surveillance to the surrounding public realm. Indeed, the town houses in particular contribute to the natural surveillance of the street

The report goes on to state that the building footprint at ground floor level is free from any recesses or projections that could provide cover for criminal or anti-social activity. In addition, the residential and commercial functions appear to have been kept separate from each other.

The report provides a number of observations which should be considered as part of the development proposals. Such points include having anti graffiti surfaces and locating any short stay cycle parking for visitors and shoppers located where they are overlooked. In addition, there are a number of physical security measures such as glazing, doors, lighting and CCTV which will improve the security at the development.

It is recommended that a condition of the planning approval is that the CIS is implemented in full as part of the development in order to achieve Secured by Design Accreditation.

Ground conditions

Policy EN18 of the Core Strategy requires that consideration should be given to potential sources of ground contamination and the effect on new developments. Initial site investigation work has been carried out by the applicant. This found a large amount of made ground at the site.

The initial site investigation report has been considered by Environmental Health and the Environment Agency. They have recommended that further investigation works are required, particularly in respect of gas monitoring, and appropriate remediation devised where necessary.

It is recommended that a condition of the planning approval is that these further details should be submitted. Once the remediation strategy has been approved this shall be implemented and a verification report submitted on completion of the development to verify that all the agreed remediation has been carried out. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

Demolition and Construction management

In order to ensure that there is no impacts associated with the construction activities, it is recommended that a construction management condition is imposed on any planning permissions. It is, however, noted that there are no immediate residential properties abutting the application site, however, there are existing commercial activities that could be affected by the development.

Any construction management plan should consider how to minimise dust suppression from the site (although it is noted there is minimal demolition) along with the use of plant and machinery to minimise noise.

Due to the size of the site, it will not be possible to site compound/welfare facilities within the site boundaries. This will need to be created in the local vicinity.

Deliveries to the site will be via the existing road network. Once the final access position is agreed, it will be necessary to ensure appropriate wheel washing is put in place to prevent any dirt and debris along the road and beyond.

Details will need to be provided in terms of routing strategy, however, given the close proximity to Rochdale Road it is anticipated servicing vehicles will access the site from this road which should minimise any disruption along the local highway network.

There is unlikely to be any cumulative impact from the construction elements of the development. Whilst there is a large amount of activity in the local area, the close proximity to major roads will ensure such activities should not have a detrimental impact on the surrounding area

It is considered that the construction activities can take place without any detrimental impacts of amenity or highway safety provided a comprehensive construction management plan is put in place in order that the proposal is in accordance with policies SP1 and DM1 of the Core Strategy and extant policy DC26 of the Unitary Development Plan.

Public opinion

A number of comments have been received in respect of this planning application. Whilst it is noted that the proposed development will be higher than the immediately surrounding residential apartment buildings, it is not considered that the increase in height will unduly harm the street scene or surrounding residential amenity. The height of the building will create a degree of shadowing on adjacent buildings, however, such impacts are inevitable given the current low rise buildings on the site. Such impacts are not considered to be unduly harmful and the arrangement is typical of residential development of a road network of this nature.

Issues of servicing and waste management have been carefully considered and it is recommended that the final details are agreed by planning condition.

It is noted that the proposal will bring new residents to the area and this will increase demand for services and amenities. The new commercial unit proposed as part of this development provides the opportunity for the premises to be occupied by an end user falling within use classes A1, A2, A3, B1 or D1. There is provision for some of the apartments to have balconies with other residents accessing the range of public spaces nearby.

Permitted development

The National Planning Policy Guidance states that only in exceptional circumstances should conditions be imposed which restrict permitted development rights otherwise such conditions are deemed to be unreasonable.

It is recommended that a condition of the approval should clearly define the approved residential units under the C3(a) use and to remove the permitted development rights that would normally allow the change of use of a property to a HMO falling within use classes C3(b) and C3(c) without the requirement for formal planning permission.

This is to protect this development and its future residents from the problems associated with the change of use of properties to HMO's and to promote family accommodation and sustainability within this neighbourhood.

Conclusions

The proposal will see the redevelopment of a vacant brownfield site. A total of 64 residential units (which will be available for sale) will be created, along with commercial space, which will contribute to the City's residential growth strategy and help support neighbourhoods of choice by. Careful consideration has been given to the siting, scale and appearance of the development to ensure it provide a high quality development along with minimising the impact on existing residents.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Head of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation **MINDED TO APPROVE subject to the signing of a section 106 agreement in relation to travel plan incentives in order to encourage occupants to use public transport**

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development along with noise and traffic impacts. Further work and discussion have taken place with the applicant through the course of the application, particularly in respect of the appearance of the building and car parking along with other matters arising from the consultation and notification process. The proposal is considered to be acceptable and therefore determined within a timely manner.

Reason for recommendation

Conditions to be attached to the decision

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings

622_200D, 622/304C, 622/301D, 622/303E, 622/306, 622/302D, 622/305, 622_201D, 622_210E, 622_211B, 622_212B and 622_213B stamped as received by the City Council, as Local Planning Authority, on the 11 May 2016.

Supporting information

Email from Peter Rowe stamped as received by the City Council, as Local Planning Authority, on the 16 Jun 2016.

Letter from Peter Row dated 3 May 2016 stamped as received by the City Council, as Local Planning Authority, on the 11 May 2016

Transport survey prepared by Vectos and Interim travel plan prepared by Vectos stamped as received by the City Council, as Local Planning Authority, on the 21 October 2015

Design appraisal stamped as received by the City Council, as Local Planning Authority, on the 5 February 2016

Planning statement prepared by Turley and Daylight and sunlight report prepared by Malcolm Holiis stamped as received by the City Council, as Local Planning Authority, on the 30 November 2015

Ecology appraisal prepared by TP Ecology stamped as received by the City Council, as Local Planning Authority on the 17 and 11 November 2015

Energy Statement prepared by Virdian (V/1454/0.3/P1) stamped as received by the City Council, as Local Planning Authority on the 21 October 2015

Design and access statement stamped as received by the City Council, as Local Planning Authority, on the 30 and 17 November 2015

Crime Impact Statement (Version A (27.11.2015) prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 2 December 2015.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) Notwithstanding the drainage strategy prepared by Flo stamped as received by the City Council, as Local Planning Authority on the 30 November 2015, prior to the commencement of the development, a scheme for the drainage of surface water from the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority.

The development shall then be constructed in accordance with the approved details, within a previously agreed timescale. Prior to the first occupation of the development a verification report shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

Reason – To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

4) Before the development commences, studies containing the following with regard to television reception in the area containing the site shall be submitted to and approved in writing by the City Council as local planning authority:

a) Identify, before the development commences, the potential impact area in which television reception is likely to be adversely affected by the development. The study shall be carried out either by the Office of Communications (OFCOM), or by a body approved by OFCOM and shall include an assessment of when in the construction process an impact on television reception might occur.

b) Measure the existing television signal reception within the potential impact area identified in (a) above before development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Independent Television Commission, and shall include an assessment of the survey results obtained.

(c) Assess the impact of the development on television signal reception within the potential impact area identified in above within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out in (b) above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television

reception and to ensure that the development at least maintains the existing level and quality of television signal reception. In the interest of residential amenity, as specified in policy DM1 of Core Strategy.

5) Prior to the commencement of the development, details of a local labour agreement in order to demonstrate commitment to recruit local labour for both the construction and operations element of the retail shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction and occupation phases of the development. Within six months of the first occupation of the development details of the results of the scheme shall be submitted for consideration.

Reason – The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1 of the Manchester Core Strategy (2012).

6) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority prior to the first occupation of the development.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

7) Prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- Display of an emergency contact number;
- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff; and
- Sheeting over of construction vehicles.

Development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

8) Prior to any above ground works, a programme for the issue of samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority, samples and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in and a strategy for quality control management shall be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above. The approved materials shall then be implemented as part of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

8) Prior to the first occupation of the development hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt the scheme shall include the following:

- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

Reason – To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

9) The development hereby approved shall be carried out in accordance with the Energy Statement prepared by Viridian (V/1454/0.33/P1) stamped as received by the City Council, as Local Planning Authority, on the 21 October 2015. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

10) Prior to the first occupation of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval. The approved scheme shall be implemented prior to the first occupation of the development and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

11) Notwithstanding the noise and vibration impact assessment (21196/NVIAI Rev A) prepared by Hann Tucker Associates stamped as received by the City Council, as Local Planning Authority, on the 21 October 2015, prior to the first use of the commercial unit as indicated on drawing 622_200D stamped as received by the City Council, as Local Planning Authority, on the 11 May 2016, a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be retained and maintained for as long as the development remains in use.

Reason – In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

12) Notwithstanding the noise and vibration impact assessment (21196/NVIAI Rev A) prepared by Hann Tucker Associates stamped as received by the City Council, as Local Planning Authority, on the 21 October 2015, prior to the first occupation of the residential accommodation hereby approved, the accommodation shall be insulated in accordance with a scheme submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall thereafter be retained and maintained in situ for as long as the development remains in use.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

13) Notwithstanding the waste management strategy stamped as received by the City Council, as Local Planning Authority, on the 30 November 2015 and drawing 622_200D stamped as received by the City Council, as Local Planning Authority, on the 11 May 2016, prior to the first occupation of the residential accommodation and first use of the commercial accommodation hereby approved, the refuse arrangement and waste management strategy for the residential and commercial elements shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented prior to the first occupation of the residential accommodation and first use of the commercial unit and thereafter retained and maintained in situ for as long as the development remains in use.

14) Prior to the first occupation of the commercial unit, as indicated on drawing 622_200D stamped as received by the City Council, as Local Planning Authority, on the 11 May 2016, details of a scheme to extract fumes, vapours and odours from the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of each of the commercial units and thereafter retained and maintained in situ.

Reason – To ensure appropriate fume extraction is provided for the commercial units pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

15) Prior to the first occupation of the commercial unit as indicated on drawing 622_200D stamped as received by the City Council, as Local Planning Authority, on the 11 May 2016, details of any roller shutters to the ground floor of the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of the commercial units and thereafter retained and maintained in situ.

Reason – To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

16) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn, or as may be otherwise agreed in writing by the City Council as local planning authority. Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first occupation of the development hereby approved. The approved scheme shall be implemented in full prior to the first use of the development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

17) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

18) Deliveries, servicing and collections including waste collections shall not take place outside the following hours:

Monday to Saturday 07:30 to 20:00

Sundays (and Bank Holidays): No deliveries/waste collections

Reason – In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

19) The commercial unit hereby approved, as indicated on drawing 622_200D stamped as received by the City Council, as Local Planning Authority, on the 11 May 2016, shall not be open outside the following hours:-

Monday to Saturday 08.00hrs – 22.30hrs

Sundays 09.00hrs – 22.30hrs

There shall be no amplified sound or any amplified music at any time within the units.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

20) The commercial unit as shown on drawing 622_200D stamped as received by the City Council, as Local Planning Authority, on the 11 May 2016, shall remain as one unit and shall not be sub divided without the benefit of planning permission being secured.

Reason- In the interests of residential amenity and to ensure the future viability and vitality of the commercial unit pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1, C5 and SP1 of the Manchester Core Strategy.

21) The commercial unit, as indicated on drawing 622_200D stamped as received by the City Council, as Local Planning Authority, on the 11 May 2016 can be occupied as A1, A2, A3, B1 or D1 (with the exception of a place of worship) . The first use of the commercial unit to be implemented shall thereafter be the permitted use of that unit and any further change of use may be the subject of the requirement of a new

application for planning permission or subject to the requirements of the Town and Country Planning (General Permitted Development) Order 1995.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester .

22) In the event that any of the commercial units, as indicated on drawing 622_200D stamped as received by the City Council, as Local Planning Authority, on the 11 May 2016, are occupied as an A3 use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

- Management of patrons and control of external areas. For the avoidance of doubt this shall include:
 - o Dispersal policy;
 - o Mechanism for ensuring windows and doors remain closed after 9pm

The approved scheme shall be implemented upon first use of the premises and thereafter retained and maintained.

Reason - To safeguard the amenities of nearby residential occupiers as the site is located in a residential area, pursuant to policies SP1, DM1 and C10 of the Manchester Core Strategy and to saved policy DC26 of the Unitary Development Plan for Manchester.

23) In the event that any of the commercial units, as indicated on drawing 622_200D stamped as received by the City Council, as Local Planning Authority, on the 11 May 2016, are occupied as a D1 use, prior to their first use the following details must be submitted and agreed in writing by the City Council, as Local Planning Authority. These details are as follows:

- Details of outdoor play spaces;
- A management plan for 'pick up' and 'drop off', car parking and servicing.

The approved details shall then be implemented and remain in place for as long as the development is in use for D1 purposes.

Reason - To ensure satisfactory amenity space and management plan for pick up and drop off is put in place for a nursery, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

24) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment)

(England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

25) The development shall be carried out in accordance with the Crime Impact Statement (Version A) prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 21 December 2015. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

26) The development hereby approved shall be carried out in accordance with the Travel plan framework prepared by Vectos stamped as received by the City Council, as Local Planning Authority, on the 21 October 2015.

In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those living at the development;
- ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the building, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

27) Prior to the first use of the building, the provision of 64 cycle spaces, as indicated on 622_200D stamped as received by the City Council, as Local Planning Authority, on the 11 May 2016 shall be implemented prior to the first occupation of the development and retained and maintained in situ for as long as the development remains in use.

Reason – To ensure there is sufficient cycles stand provision at the development in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

28) Prior to the first use of the development hereby approved, the car parking layout, as indicated on drawing 622_210 E stamped as received by the City Council, as Local Planning Authority, on the 11 May 2016 shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

Reason – To ensure sufficient car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

29) Prior to the commencement of works in connection with the car parking entrance off Ludgate Street, as indicated on drawing 622_210 E stamped as received by the City Council, as Local Planning Authority, on the 11 May 2016, details of the vehicle entrance, car lift and gate shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt this shall include the following details:

- How vehicles will access/egress the lift;
- Priority for vehicles accessing/egressing the lift;
- Stacking capacity on street/within the car park for waiting vehicles;
- Swept path analysis of access/egress
- Visibility displays on access/egress
- What will happen should the car lift malfunction

The approved details shall be implemented as part of the scheme and thereafter retained and maintained for as long as the development remains in use.

Reason – In the interest of highway safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

30) Prior to the first use of the development, a scheme of highway works in relation to Simpson Street, Dyche Street, Angel Street and Ludgate Street in order to provide adequate pedestrian and vehicular environment at the application site, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- creation of dropped kerbs to car park entrance on Ludgate Street;
- reinstatement of footways and other necessary works to Simpson Street, Angel Street and Dyche Street.

The approved scheme shall be implemented and be in place prior to the first occupation of the development and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

Informatives

- Any signage, wayfinding, banners or any other advertisements to be installed in and around the application site for the purpose of the promotion of the developments and routes to it may require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The internal noise criteria are as follows:

Bedrooms (night time - 23.00 - 07.00)	30 dB L_{Aeq} (individual noise events should not normally exceed 45 dB $L_{Amax,F}$ by more than 15 times)
Living Rooms (daytime - 07.00 - 23.00)	35 dB L_{Aeq}
Gardens and terraces (daytime)	55 dB L_{Aeq}

Additionally, where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

- Where entertainment noise is proposed the L_{Aeq} (entertainment noise) should be controlled to 10dB below the L_{A90} (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands should be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

- Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (L_{Aeq}) below the existing background (L_{A90}) at the nearest noise sensitive location.

- Defra have published a document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. It describes a method of risk assessment for odour, guidance on minimum requirements for odour and noise control, and advice on equipment selection. It is recommended that any scheme should make reference to this document (particularly Annex B). Details should also be provided in relation to replacement air. The applicant will therefore need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval.

- - Surface water drainage

- Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event in any part of a building;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements);
- Long and cross sections for the proposed drainage system and finished floor levels.
- Construction details of flow control and SuDS elements.
- Proposal of surface water management during construction period.

- Verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 110351/FO/2015/N1 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

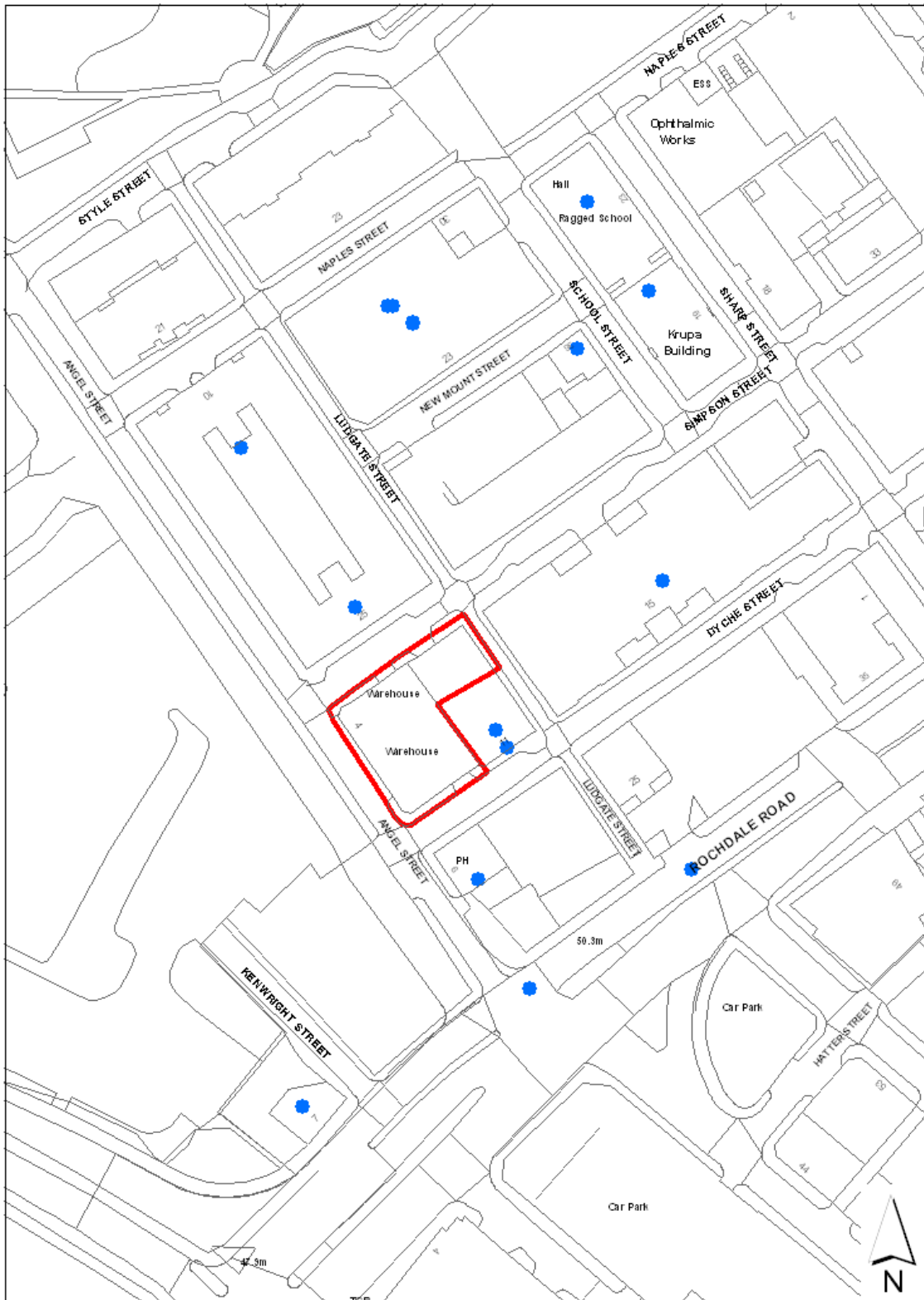
Greater Manchester Ecology Unit
Environment Agency
Greater Manchester Police

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Apartment 109, 15 Dyche street, Manchester, M4 4DS
Flat 410, The Linx, 10 Naples St, Manchester, M4 4AR
Apart 603 The Linx, 25 Simpson Street Manchester M4 4AS

Relevant Contact Officer : Jennifer Atkinson
Telephone number : 0161 234 4517
Email : j.atkinson@manchester.gov.uk



Application site boundary ● Neighbour notification
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